

13. (Amended) A method of decreasing the expression of Akt3 in a mammalian cell *in vitro*, comprising administering to said cell an Akt3 inhibitor wherein said Akt3 inhibitor is an antisense molecule selected from the group consisting of SEQ ID NO:2-6 and 12-19.

### REMARKS

Applicants submit this Amendment in response to the Office Action mailed May 8, 2001. Claims 1-18 were pending in the application. Claims 1-4, 6-11, and 14-16 have been cancelled without prejudice to refile. Claims 5, 12, and 13 have been amended. The Examiner has indicated that claims 17 and 18 are allowable.

1. Detailed Action

The Examiner is thanked for acknowledging Applicants' restriction election of Group I, claims 1-5 and 8-18.

2. Claim Objections

Claims 2, 10 and 14 are objected to by the Examiner as being improper dependent form for failing to further limit the subject matter of a previous claim. Claims 2, 10, and 14 have been cancelled, without prejudice to refile, rendering this objection moot.

3. Claim Rejections Under 35 U.S.C. § 112

Claims 1-5 and 8-15 stand rejected under 35 U.S.C. § 112, first paragraph, for allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Claims 1-4 and 8-11 have been cancelled, without prejudice to refile, rendering the rejection to these claims moot. The Applicant respectfully asserts that the rejection does not apply to the remaining claims as amended.

Claims 13-15 stand rejected under 35 U.S.C. § 112, first paragraph, for allegedly not enabling a person skilled in the art to make and/or use the invention commensurate in scope with the claims. Claims 14-15 have been cancelled rendering the rejection to these claims moot. The Applicant respectfully asserts that the rejection does not apply to the remaining claims as amended.

4. Claims Rejection Under 35 U.S.C. § 102

Claims 1-4, 8-11, 13-14 and 16 stand rejected under 35 U.S.C. § 102(b) for allegedly being anticipated by Monia et al. Claims 1-4, 6-11, and 14-16 have been cancelled, without prejudice to refile, rendering the rejection moot as to these claims. The Applicant respectfully asserts that the rejection does not apply to the remaining claims as amended.

5. Notice of Allowable Subject Matter

Applicant gratefully acknowledges the recitation by the Examiner that claims 17 and 18 are allowable. Applicants acknowledge that the Examiner has stated that claims 5, 12, 17 and 18 are free of the prior art for the reasons given in paragraph 10, at page 9 of the Office Action of May 8, 2002.

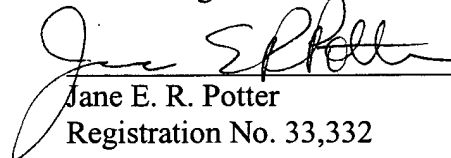
6. Conclusion

Attached hereto is a marked up version of the changes made to the claims by the current Amendment.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Please cancel claims 1-4, 6-11, and 14-16, without prejudice to refile.

Please amend the claims as follows:

5. (Amended) [The] An isolated Akt3 inhibitor [of claim 2] wherein said antisense molecule comprises a nucleic acid sequence selected from the group consisting of SEQ ID NO:2-6 and 12-19, wherein said antisense molecule is not longer than 35 nucleotides in length and is capable of inhibiting the expression of human Akt3.

12. (Amended) [The] A composition, comprising a therapeutically effective amount of an Akt3 antisense molecule, [of claim 10] wherein said antisense molecule comprises a nucleic acid sequence from the group consisting of SEQ ID NO:2-6 and 12-19.

13. (Amended) A method of decreasing the expression of Akt3 in a mammalian cell *in vitro*, comprising administering to said cell an Akt3 inhibitor wherein said Akt3 inhibitor is an antisense molecule selected from the group consisting of SEQ ID NO:2-6 and 12-19 [of claim 1].